

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
ABERDEEN DIVISION

MARSHA MARKS

PLAINTIFF

v.

CAUSE NO. 1:25-CV-28-SA-RP

CHARLES HARRIS

DEFENDANT

ORDER ADOPTING REPORT AND RECOMMENDATION

On March 11, 2025, Magistrate Judge Percy issued a Report and Recommendation [4], wherein he recommended that Marks' motion to proceed *in forma pauperis* [2] be denied and this case be dismissed for failure to state a claim. The Report and Recommendation [4] explained the procedures pursuant to which Marks could object. Despite being given an opportunity, Marks has not objected to the Report and Recommendation [4] and her time to do so has now passed.

“With respect to those portions of the report and recommendation to which no objections were raised, the Court need only satisfy itself that there is no plain error on the face of the record.” *Gauthier v. Union Pac. R.R. Co.*, 644 F. Supp. 2d 824, 828 (E.D. Tex. 2009) (citing *Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1428–29 (5th Cir. 1996)).

The Court has reviewed the Report and Recommendation [4] and the record as a whole. Having done so, the Court agrees with Magistrate Judge Percy's recommendation. There is no plain error on the face of the record. The Report and Recommendation [4] is ADOPTED IN FULL. The Motion to Proceed *in Forma Pauperis* [2] is DENIED. This CASE is CLOSED.<sup>1</sup>

SO ORDERED, this the 28th day of March, 2025.

/s/ Sharion Aycock  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> The Court notes that the Report and Recommendation [4] was mailed to Marks at the address listed on file but was returned as undeliverable. As a litigant who has not registered for electronic notifications, it is Marks' obligation to keep the Court apprised of her address. The document being returned as undeliverable does not preclude dismissal.